

## Message Text

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47/60

ORIGIN EB-07

INFO OCT-01 EA-09 ISO-00 TRSE-00 CIAE-00 COME-00 DODE-00

DOT E-00 FMC-02 INR-07 NSAE-00 SAL-01 CG-00 DLOS-06

OES-06 L-03 AGR-10 GSA-02 SIL-01 LAB-04 CEA-01 CAB-05

AID-05 PM-04 NSC-05 SP-02 SS-15 AF-08 ARA-10 EUR-12

NEA-10 /136 R

DRAFTED BY:EB/TCA/MA:REHOHE:CAB

APPROVED BY:EB/TC/MA:RKBANK

CUSTOMS-CWHART

EA/IMS-WSSHEPART(SUBS)

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R 071716Z JUL 76

FM SECSTATE WASHDC

TO AMEMBASSY SINGAPORE

UNCLAS STATE 167759

C O R R E C T E D C O P Y (OMISSION OF CLEARANCE)

E.O. 11652: N/A

TAGS: EWWT, SN

SUBJECT: TRANSPORTATION OF CONTAINERS BETWEEN US PORTS BY  
FOREIGN FLAG SHIPS

1. SINGAPORE-FLAG TRANS FREIGHT LINES, INC. (TFL) IS COMMENCING A REGULAR CONTAINER LINE SERVICE BETWEEN THE US EAST COAST PORTS OF NEW YORK, PORTSMOUTH, AND CHARLESTON(SC) AND THE NORTHERN EUROPEAN PORTS OF ROTTERDAM, FELIXSTOWE, AND LE HAVRE ON OR ABOUT JULY 15, 1976.

2. TFL HAS REQUESTED THE STATE DEPARTMENT TO INITIATE ACTION UNDER PL 90-474 (1968) WHICH PROVIDES FOR EXEMPTION UNCLASSIFIED

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TO THE JONES ACT (SECTION 27, MERCHANT MARINE ACT, 1920, 46 U.S.C. 883). THE JONES ACT PROHIBITS THE CARRIAGE OF CARGO BETWEEN AMERICAN PORTS BY FOREIGN FLAG VESSELS. THE EXEMPTION PROVIDED FOR IN PL 90-474 WAS EXTENDED TO INCLUDE

"EMPTY INSTRUMENTS OF INTERNATIONAL TRAFFIC."

3. IN ORDER TO PERMIT SHIPS OF ITS FLAG TO QUALIFY FOR THE EXEMPTIONS PROVIDED BY PL 90-474, A FOREIGN GOVERNMENT, AND IN THIS CASE THE NATION OF REGISTRY, MUST SUBMIT EVIDENCE THAT IT GIVES RECIPROCAL TREATMENT TO US FLAG SHIPS SAILING BETWEEN PORTS IN ITS COUNTRY IN ACCORDANCE WITH

REQUIREMENTS OF THE TREASURY DEPARTMENT. THE TREASURY DEPARTMENT HAS INDICATED THAT IT WILL ACCEPT AS SUCH EVIDENCE A STATEMENT, FURNISHED TO THE SECRETARY OF STATE, BY THE GOVERNMENT OF THE INTERESTED FOREIGN COUNTRY, THAT IT DOES NOT PROHIBIT US FLAG VESSELS FROM TRANSPORTING IN ITS COASTAL TRADE THE ARTICLES REFERRED TO, OR THAT US FLAG VESSELS ARE ACCORDED RECIPROCAL PRIVILEGES IN THE COASTWISE TRADE OF THE COUNTRY. THE STATEMENT SHOULD CITE THE LAWS OR THE REGULATIONS WHICH EXTEND THE PRIVILEGES TO US VESSELS, OR IF THERE ARE NO CABOTAGE LAWS RESERVING COASTWISE TRADE, THE STATEMENT SHOULD REFLECT THE SITUATION. A SAMPLE STATEMENT IS CONTAINED IN PARA 6 BELOW.

4. TO DATE, THE FOLLOWING COUNTRIES HAVE BEEN GRANTED EXEMPTION UNDER PL 90-474: AUSTRALIA, AUSTRIA, BELGIUM, BRAZIL, CANADA, COLUMBIA, DENMARK, ECUADOR, FINLAND, FRANCE, FRG, GREECE, ICELAND, IRAN, IRELAND, ISRAEL, ITALY, JAPAN, LIBERIA, MEXICO, NETHERLANDS, NORWAY, PANAMA, PHILIPPINES, POLISH PEOPLE'S REPUBLIC, REPUBLIC OF CHINA, REPUBLIC OF KOREA, SOUTH AFRICA, SWEDEN, USSR, UK, SOCIALIST FEDERAL REPUBLIC OF YUGOSLAVIA.

5. DIRECTOR OF MARITIME AFFAIRS, CAPT. GOH CHOO KENG, FULLERTON BUILDING, SINGAPORE 1, MAY BE THE LOGICAL CONTACT IN THIS MATTER SINCE TFL HAS BEEN IN CONTACT WITH HIM,

6. ACTION REQUESTED: IF AN EXEMPTION OF THE TYPE NOTED ABOVE IS TO BE CONSIDERED BY THE TREASURY DEPARTMENT, THE GOS MUST EXECUTE AND RETURN TO THE STATE DEPARTMENT THE UNCLASSIFIED

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FOLLOWING STATEMENT:

"THE EMBASSY OF (COUNTRY) PRESENTS ITS COMPLIMENTS TO THE DEPARTMENT OF STATE AND HAS THE HONOR TO REFER TO PUBLIC LAW 90-474 OF AUGUST 11, 1968, AMENDING THE MERCHANT MARINE ACT OF 1920 TO PERMIT VESSELS NOT REGISTERED IN THE UNITED STATES, SUBJECT TO RECIPROCITY, TO TRANSPORT IN THE COASTWISE TRADE OF THE UNITED STATES (A) EMPTY CARGO VANS, EMPTY LIFT VANS, AND EMPTY SHIPPING TANKS, (B) EQUIPMENT FOR USE WITH CARGO VANS, LIFT VANS OR SHIPPING TANKS, (C) EMPTY BARGES SPECIFICALLY DESIGNED FOR CARRIAGE ABOARD A VESSEL, AND (D) ANY EMPTY INSTRUMENT FOR INTERNATIONAL TRAFFIC EXEMPTED FROM APPLICATION OF THE CUSTOMS LAWS OF THE UNITED STATES BY THE SECRETARY

OF THE TREASURY PURSUANT TO THE PROVISIONS OF SECTION 322 (A), TARIFF ACT OF 1930 (19 U.S.C. 1322 (A) ) IF THE ARTICLES DESCRIBED IN CLAUSES (A) THROUGH (D) ARE OWNED OR LEASED BY THE OWNER OR OPERATOR OF THE TRANSPORTING VESSEL AND ARE TRANSPORTED FOR HIS USE IN HANDLING HIS CARGO IN FOREIGN TRADE; AND (E) STEVEDORING EQUIPMENT

AND MATERIAL, IF SUCH EQUIPMENT AND MATERIAL IS OWNED OR LEASED BY THE OWNER OR OPERATOR OF THE TRANSPORTING VESSEL, OR IS OWNED OR LEASED BY THE STEVEDORING COMPANY CONTRACTING FOR THE LOADING OR UNLOADING OF THAT VESSEL, AND IS TRANSPORTED WITHOUT CHARGE FOR USE IN THE HANDLING OF CARGO IN FOREIGN TRADE.

THE EMBASSY IS PLEASED TO INFORM THE DEPARTMENT OF STATE THAT (COUNTRY) LEGISLATION PLACES NO RESTRICTIONS ON THE CARRIAGE OF ANY OF THE ITEMS REFERRED TO IN PL 90-474 BY VESSELS OF THE UNITED STATES BETWEEN (COUNTRY) PORTS. THE GOVERNMENT OF (COUNTRY) THEREFORE BELIEVES THAT CONDITIONS OF RECIPROCITY AS REQUIRED BY PUBLIC LAW 90-474 HAVE BEEN FULFILLED IN THE CASE OF (COUNTRY) AND THAT (COUNTRY) VESSELS SHOULD BE PERMITTED TO ENJOY THE PRIVILEGE OF TRANSPORTING THE REFERENCED ARTICLES BETWEEN PORTS OF THE UNITED STATES." KISSINGER

UNCLASSIFIED

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**To:** SINGAPORE  
**Type:** TE  
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